

City Council Introduction: **Monday**, March 25, 2002
Public Hearing: **Monday**, April 1, 2002, at **1:30 p.m.**

Bill No. 02-38

FACTSHEET

TITLE: **STREET VACATION NO. 02001**, requested by Patrick Mooberry and John and Andrea Schleich, to vacate the Ashbrook Drive cul-de-sac to allow for continuation of the street south in conjunction with the plat for Parker's Landing Addition, generally located approximately ½ mile east of South 70th Street and ½ mile south of Old Cheney Road.

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 03/06/02
Administrative Action: 03/06/02

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (6-0: Carlson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Duvall and Krieser absent).

FINDINGS OF FACT:

1. The staff recommendation to find the proposed street vacation to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3, concluding that vacation of this cul-de-sac will facilitate the eventual continuation of Ashbrook Drive south to Highway 2 in conformance with the Comprehensive Plan.
2. On March 6, 2002, this application was placed on the Consent Agenda of the Planning Commission and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation and voted 6-0 to find the proposed street vacation to be in conformance with the Comprehensive Plan.
4. The City Clerk has determined that the provisions of Chapter 14.20 of the Lincoln Municipal Code have been met.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 20, 2002

REVIEWED BY: _____

DATE: March 20, 2002

REFERENCE NUMBER: FS\CC\2002\SAV.02001

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Street and Alley Vacation #02001

DATE: February 20, 2002

PROPOSAL: To vacate the Ashbrook Drive cul-de-sac to allow for continuation of the street south in conjunction with the plat of Parker's Landing Addition.

LAND AREA: Approximately 17,924 square feet.

CONCLUSION: Vacation of this cul-de-sac will facilitate the eventual continuation of Ashbrook Drive south to Highway 2 in conformance with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Conforms to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal description.

LOCATION: Approximately ½ mile east of South 70th Street and ½ mile south of Old Cheney Road.

<u>APPLICANT:</u>	Patrick Mooberry	John and Andrea Schleich
	7900 Cole Court	6230 Doecreek Circle
	Lincoln, NE 68506	Lincoln, NE 68516
	(402)483-7400	(402)436-3444

CONTACT: Same

OWNER: Same

SURROUNDING LAND USE AND ZONING:

North:	Single-family Residential	R-3
South:	Single-family Residential	AGR
East:	Vacant, City Park (Phares Park)	AGR, P
West:	Single-family Residential	R-1

ASSOCIATED APPLICATIONS: PP#01014 - The preliminary plat of Parker's Landing Addition was approved by the Planning Commission December 12, 2001.

CZ#3337 - Approved by the Planning Commission on December 12, 2001, a change of zone from AGR, Agricultural Residential to R-1 and R-3, Residential in conjunction with the preliminary plat of Parker's Landing Addition.

ANN#01009 - The petition to annex those lands within the limits of the preliminary plat of Parker's Landing Addition was approved by the Planning Commission on January 9, 2002, and is currently being considered by the City Council.

COMPREHENSIVE PLAN SPECIFICATIONS: The Southeast Lincoln/Highway 2 Subarea Plan designates this land as urban residential. The Plan contains a conceptual street layout for this area that shows Ashbrook Drive extended south and intersecting with Highway 2.

TRAFFIC ANALYSIS: The Comprehensive Plan classifies Ashbrook Drive as a local street.

ANALYSIS:

1. The preliminary plat of Parker's Landing provides an internal street network that provides for logical connections to streets in surrounding development and provides for the extension of these streets through the subdivision as required.
2. This request to vacate the Ashbrook Drive cul-de-sac is consistent with the preliminary plat of Parker's Landing, and is necessary to implement the street layout shown on the plat.
3. The vacation of the cul-de-sac will allow for the eventual extension of Ashbrook Drive south to Highway 2, and will enhance traffic flow throughout this area by providing an additional access point to an arterial street.

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.

Prepared by:

Brian Will, AICP
Planner

STREET VACATION NO. 02001

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

February 20, 2002

Members present: Carlson, Newman, Schwinn, Steward, Bills-Strand and Taylor; Duvall and Krieser absent.

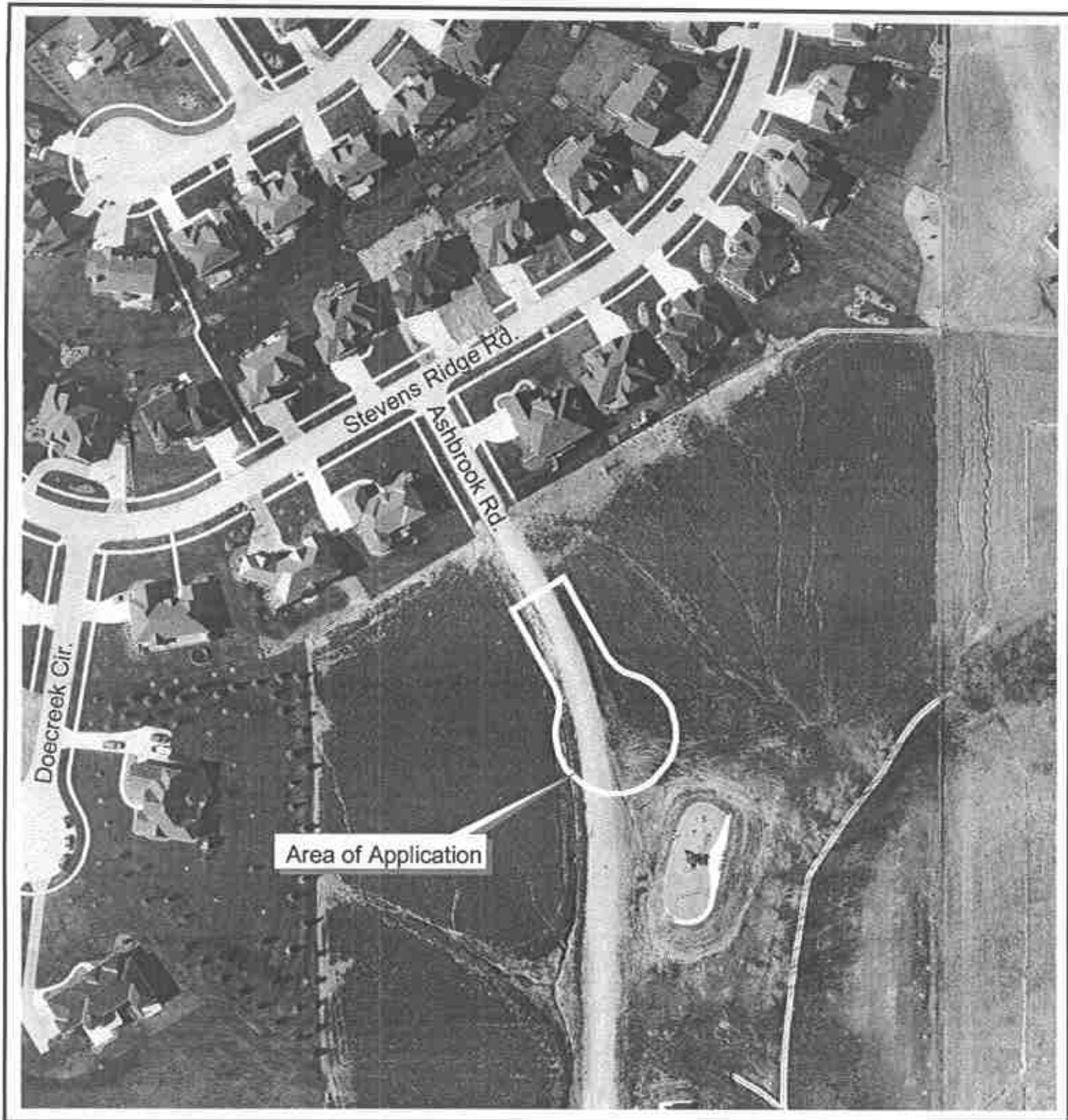
The Consent agenda consisted of the following items: **FINAL PLAT NO. 01035, APPIAN WAY ADDITION; COUNTY COMPREHENSIVE PLAN CONFORMANCE NO. 02001; STREET AND ALLEY VACATION NO. 02001; WAIVER OF DESIGN STANDARDS NO. 02002; and MISCELLANEOUS NO. 02001.**

Item No. 1.4, Waiver of Design Standards No. 02002, was removed from the Consent Agenda and scheduled for separate public hearing.

Steward moved to approve the remaining Consent Agenda, seconded by Bills-Strand and carried 6-0: Carlson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Duvall and Krieser absent.

Note: This is final action on the Appian Way Addition Final Plat No. 01035, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.

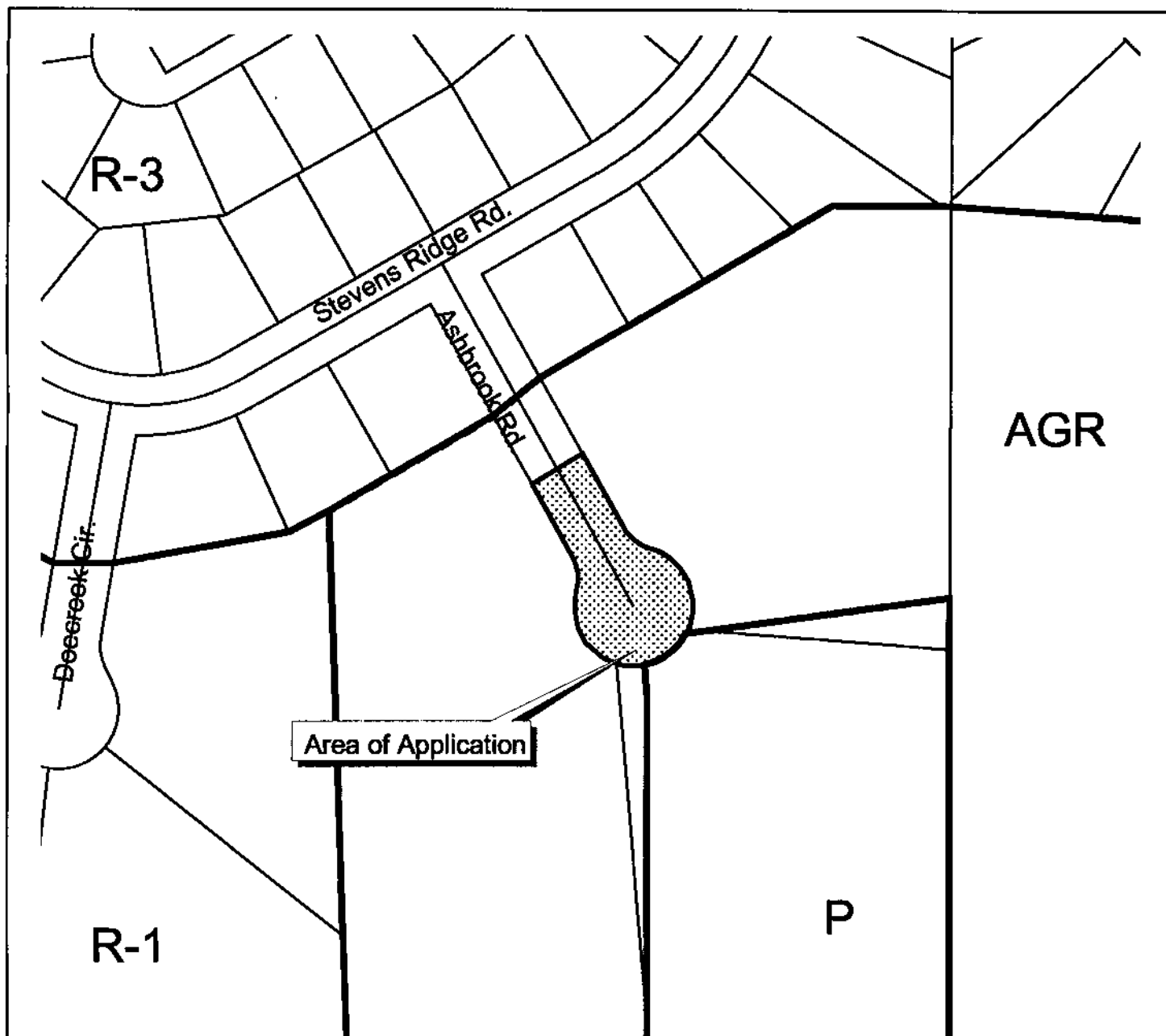
This is also final action on County Comprehensive Plan Conformance No. 02001, which is a permanent conservation easement on property generally located at N.W. 126th Street and Superior Street. There will be no further action on this application.



Street & Alley Vacation #02001
Ashbrook Drive
SE of Old Cheney Rd. & S. 70th St.



005

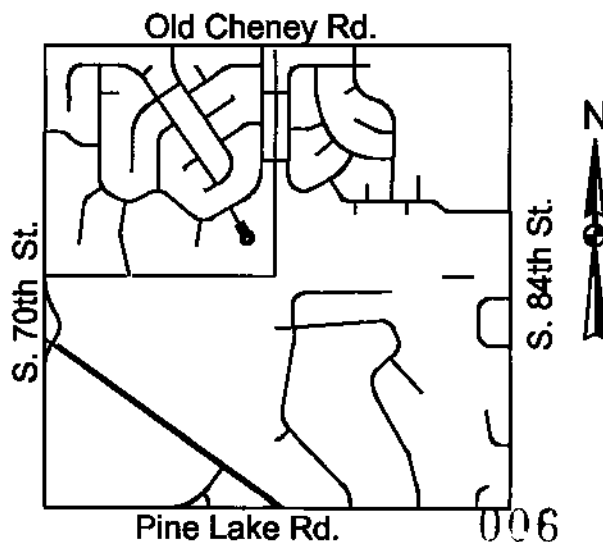
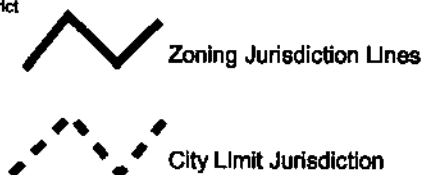


Street & Alley Vacation #02001
Ashbrook Drive
SE of Old Cheney Rd. & S. 70th St.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 15 T9N R7E



Lincoln



Nebraska's Capital City

February 4, 2002

Lincoln City/Lancaster county
Planning Commission
Lincoln, NE 68508

RE: Vacating a Portion of Ashbrook Drive


Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received sufficient and proper petitions from Patrick Mooberry, general partner of Parker Ground Partnership, owners of Lot 4, Block 3 Stevens Ridge Estates and John and Andrea Schleich, owners of Lot 5 Edenton South 7th Addition, to vacate the above described public right-of-way. Petition to vacate is being made in order to extend Ashbrook Drive to accommodate new land development.

There are no existing utilities in the area of the proposed vacation. Required easements will be dedicated as part of the proposed subdivision in this area. This vacation should not be approved unless the subdivision is approved.

The Department of Public Works and Utilities recommends approval of this vacation request. This vacation contains an area of 17,924.5 square feet, more or less.

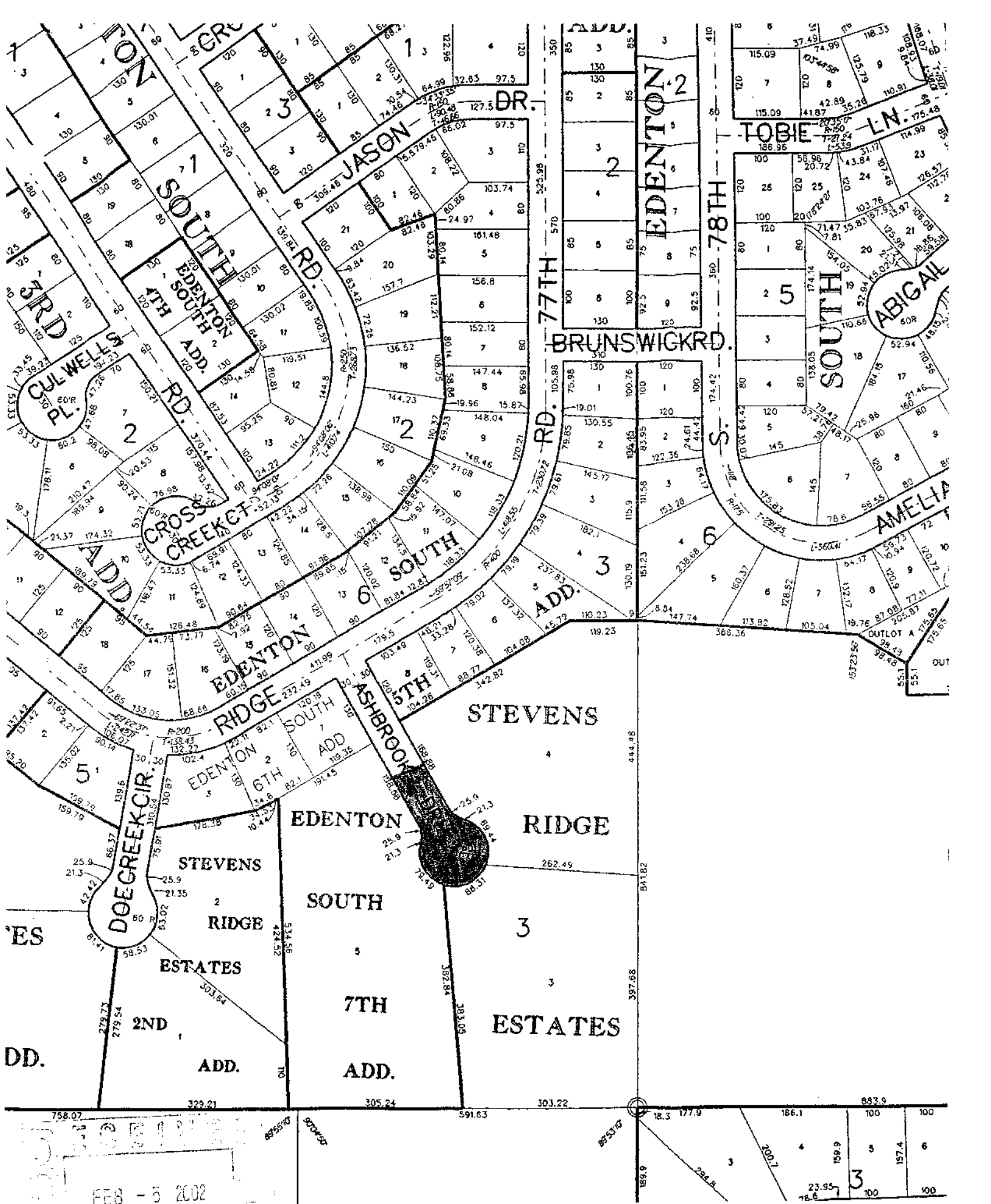
Sincerely,


Byron Blum
Engineering Services

cc: Mayor Wesely
Allan Abbott
Kathleen Sellman
March Wullschleger
Roger Figard
Nicole Fleck-Tooze
Joan Ross
Clint Thomas
Dana Roper

Ashbrook Vac Ltr tdm.wpd

FEB - 5 2002



FEB - 5 2002

LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

008

N

LOT 4 BLOCK 3
STEVENS RIDGE ESTATES

SCALE: NTS

ASHBROOK DRIVE

N60°24'34"E
60.00'

S29°35'26"E
88.37'

$\Delta=34^{\circ}13'39''$
R=44.00
L=26.28
T=13.55
C=25.90
CB=S46°42'16"E

70.17'
S29°35'26"E
N29°35'26"W
88.37'

$\Delta=34^{\circ}13'39''$
R=44.00
L=26.28
T=13.55
C=25.90
CB=N12°28'37"W

21.31'
N04°38'13"E

21.31'
S63°49'05"E

AREA TO BE
VACATED

$\Delta=248^{\circ}27'18''$
R=60.00
L=260.18
T=88.20
C=99.22
CB=S60°24'34"W

LOT 5
EDENTON SOUTH
7TH ADDITION

LOT 3 BLOCK 3
STEVENS RIDGE ESTATES

17924.5308 ft
0.0411 acres

**LEGAL DESCRIPTION
ASHBROOK DRIVE
ROW VACATION**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF ASHBROOK DRIVE RIGHT-OF-WAY LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERN CORNER OF LOT 5 EDENTON SOUTH 7TH ADDITION, SAID POINT BEING ON THE WEST LINE OF ASHBROOK DRIVE ROW, THENCE ON AN ASSUMED BEARING OF SOUTH 29 DEGREES 35 MINUTES 26 SECONDS EAST ALONG THE WEST LINE OF SAID ROW, A DISTANCE OF 70.17 FEET TO A POINT, SAID POINT BEING **THE TRUE POINT OF BEGINNING**, THENCE NORTH 60 DEGREES 24 MINUTES 34 SECONDS EAST, A DISTANCE OF 60.00 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID ROW, THENCE SOUTH 29 DEGREES 35 MINUTES 26 SECONDS EAST ALONG THE EAST LINE OF SAID ROW, A DISTANCE OF 88.37 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 44.00 FEET, ARC LENGTH OF 26.28 FEET, DELTA ANGLE OF 34 DEGREES 13 MINUTES 39 SECONDS, A CHORD BEARING OF SOUTH 46 DEGREES 42 MINUTES 16 SECONDS EAST ALONG THE EAST LINE OF SAID ROW, AND A CHORD LENGTH OF 25.90 FEET TO A POINT OF TANGENCY, THENCE SOUTH 63 DEGREES 49 MINUTES 05 SECONDS EAST ALONG A EAST LINE OF SAID ROW, A DISTANCE OF 21.31 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 60.00 FEET, ARC LENGTH OF 88.20 FEET, DELTA ANGLE OF 248 DEGREES 27 MINUTES 18 SECONDS, A CHORD BEARING OF SOUTH 60 DEGREES 24 MINUTES 34 SECONDS WEST ALONG THE SOUTH LINE OF SAID ROW, AND A CHORD LENGTH OF 99.22 FEET TO A POINT OF TANGENCY, THENCE NORTH 04 DEGREES 38 MINUTES 13 SECONDS EAST ALONG THE WEST LINE OF SAID ROW, A DISTANCE OF 21.31 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 44.00 FEET, ARC LENGTH OF 26.28 FEET, DELTA ANGLE OF 34 DEGREES 13 MINUTES 39 SECONDS, A CHORD BEARING OF NORTH 12 DEGREES 28 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF SAID ROW, AND A CHORD LENGTH OF 25.90 FEET TO A POINT OF TANGENCY, THENCE NORTH 29 DEGREES 35 MINUTES 26 SECONDS WEST ALONG THE WEST LINE OF SAID ROW, A DISTANCE OF 88.37 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 17,924.81 SQUARE FEET OR 0.41 ACRES, MORE OR LESS.

DECEMBER 17, 2001 (2:39PM)

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